SEP 1 1989

JOSEPH F. SPANIOL, JE

No. 88-1775

Supreme Court of the United States

OCTOBER TERM, 1989

GARY E. PEEL,

Petitioner,

V.

ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION OF ILLINOIS,

Respondent.

On Writ of Certiorari to the Supreme Court of Illinois

JOINT APPENDIX

BRUCE J. ENNIS, JR.*
DONALD B. VERRILLI, JR.
JENNER & BLOCK
21 Dupont Circle, N.W.
Washington, D.C. 20036
(202) 223-4400
Counsel for Petitioner

* Counsel of Record

WILLIAM F. MORAN, III *
ATTORNEY REGISTRATION AND
DISCIPLINARY COMMISSION
One North Old Capitol Plaza
Suite 345
Springfield, Illinois 62701
(217) 522-6838
Counsel for Respondent

PETITION FOR CERTIORARI FILED MAY 2, 1989 CERTIORARI GRANTED JULY 3, 1989

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RELEVANT DOCKET ENTRIES

| 10/12/86 | Notice Pursuant to Commission Rule 105 |
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| | Notice of Filing; Motion for Leave to File First Set of Interrogatories; Proposed Order |
| | First Set of Interrogatories |
| 4/9/87 | Complaint; Notice of Hearing; Order; Notice to Appear for Deposition; Entry of Appearance and Acceptance of Service |
| | Motion to Dismiss |
| 5/8/87 | Notice of Filing; Notice; Motion to Strike Respondent's First Set of Interrogatories |
| 5/19/87 | Notice of Filing; Petition for Leave to File Response Instanter; Affidavit; Administrator's Response to Respondent's Motion to Dismiss; Memorandum of Law in Support of the Administrator's Response to Respondent's Motion to Dismiss |
| 6/10/87 | Answer |
| 6/12/87 | Order |
| 6/24/87 | Notice of Filing; Notice to Appear for Deposition |
| 6/25/97 | Notice of Filing; Answer to Interrogatories |
| 7/2/87 | Notice of Filing; Motion to Continue; Proposed Order |
| 7/6/87 | Notice of Filing; Motion to Conduct Public Hearings; Proposed Order |
| 7/6/87 | Order |
| 7/9/87 | Order |
| 7/10/87 | Administrator's Response to Respondent's Motion to Conduct Public Hearings |
| 7/20/87 | Second Motion to Continue |
| 7/22/87 | Notice of Filing and Objection to Respondent's Second Motion to Continue |
| | |

| 7/27/87 | Hearing Board's Transcript of Proceedings |
|---------|--|
| 8/25/87 | Notice; Report of the Hearing Panel Findings of Facts, Conclusion of Law and Recommendations of the Hearing Board |
| | Exceptions and Supporting Argument |
| Con | Report of the Hearing Panel Findings of Facts, Conclusion of Law and Recommendations of the Hearing Board |
| | Petition to Intervene |
| 9/19/87 | Administrator's Response to Petitioner's Petition to Intervene in this Matter as an Attorney-Respondent or as an Amicus Curiae |
| 2/17/88 | Report and Recommendation of the Review Board |
| | |

BEFORE THE HEARING BOARD OF THE ILLINOIS ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION

Administrator's No. 87 SH 76

IN THE MATTER OF: GARY E. PEEL, Attorney-Respondent, No. 2166259.

COMPLAINT

[Filed April 9, 1987]

Carl H. Rolewick, Administrator of the Attorney Registration and Disciplinary Commission by his attorney William F. Moran, III, complains of Respondent Gary E. Peel and alleges that Respondent, who was licensed to practice law in Illinois on November 14, 1968 and is still so licensed, has been guilty of conduct which tends to bring the courts and the legal profession into disrepute as follows:

- 1. On or before April 15, 1986 Respondent had stationary created for use in his practice of law. The letterhead on this stationary holds Respondent out as a "Certified Civil Specialist by the National Board of Trial Advocacy." A copy of this stationary is attached as Exhibit 1.
- 2. Between April 15, 1986 and the date the Inquiry Board voted a complaint in this matter, Respondent used the above stationary in the ordinary course of his practice of law.

- 3. At no time has the Supreme Court of Illinois recognized any certification by the National Board of Trial Advocacy.
 - 4. Respondent's conduct set forth above constitutes:
 - a. violating a disciplinary rule in violation of Rule 1-102(a) (1) of the Illinois Code of Professional Responsibility;
 - a false or misleading statement in violation of Rule 2-101(b); and
 - c. publicly holding himself out as a certified legal specialist in violation of Rule 2-105(a)(3).

WHEREFORE, the Administrator prays that this cause be assigned to a hearing panel of the Hearing Board, that a hearing be conducted, that the panel make findings of fact and conclusions of fact and law and a recommendation for such discipline and costs as is warranted.

CARL H. ROLEWICK Administrator Illinois Attorney Registration and Disciplinary Commission

By: /s/ William F. Moran, III Counsel for the Administrator

WILLIAM F. MORAN, III, Counsel Attorney Registration and Disciplinary Commission One North Old Capitol Plaza, #345 Springfield, Illinois 62701 Telephone: (217) 522-6838

BEFORE THE HEARING BOARD OF THE ILLINOIS ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION

Administrator's No. 87-SH-76

IN THE MATTER OF: GARY E. PEEL,

Attorney-Respondent,

No. 2166259

FIRST SET OF INTERROGATORIES

To: CARL H. ROLEWICK, Administrator of the Attorney Registration and Disciplinary Commission

And: WILLIAM F. MORAN III, Counsel for the Attorney Registration and Disciplinary Commission

Pursuant to Illinois Supreme Court Rules 251 and 213, you are directed to answer the following interrogatories, *under oath*, within 28 days after service of said interrogatories on you.

- 1. Identify the name and address of each person having knowledge of the allegations of paragraph #1 of the Complaint filed in the above captioned cause.
- 2. Identify the name and address of each person who initiated the investigation of the charges which led to the filing of the Complaint in the above captioned cause.
- 3. Identify the name and address of each person having knowledge of the allegations of paragraph #2 of the Complaint filed in the above captioned cause.

- 4. Identify the name and address of each person having knowledge of the allegations of paragraph #3 of the Complaint filed in the above captioned cause.
- 5. Identify the name and address of each person having knowledge of the allegations of paragraph #4(a) of the Complaint filed in the above captioned cause.
- 6. Identify the name and address of each person having knowledge of the allegations of paragraph #4(b) of the Complaint filed in the above captioned cause.
- 7. Identify the name and address of each person having knowledge of the allegations of paragraph #4(c) of the Complaint filed in the above captioned cause.
- 8. Identify the name and address of each person having knowledge that Gary E. Peel's letterhead specialty designation, (i.e. "Certified Civil Specialist by the National Board of Trial Advocacy" or "Certified Civil Trial Specialist by the National Board of Trial Advocacy") is false, as alleged in paragraph 4(b) of the Complaint filed in the above captioned cause.
- 9. Identify the name and address of each person having knowledge that Gary E. Peel's letterhead specialty designation, (i.e. "Certified Civil Specialist by the National Board of Trial Advocacy" or "Certified Civil Trial Specialist by the National Board of Trial Advocacy") is misleading, as alleged in paragraph 4(a) of the Complaint filed in the above captioned cause.
- 10. Identify (by title, date of publication, author, and source) any and all studies, surveys, polls, investigations, inquires, [sic] probes, data, research, or assessments—whether conducted by the Illinois Supreme Court, the Illinois Registration and Disciplinary Commission, or any other bureau, office, department, organization, or academic institution—which have concluded that the designation "Certified Civil Specialist by the National Board of Trial Advocacy" or the designation "Certified Civil

Trial Specialist by the National Board of Trial Advocacy" by an attorney who in fact is so certified, is *misleading*.

- 11. Identify (by title, date of publication, author, and source) any and all studies, surveys, polls, investigations, inquires, [sic] probes, data, research, or assessments—whether conducted by the Illinois Supreme Court, the Illinois Registration and Disciplinary Commission, or any other bureau, office, department, organization, or academic institution—which have concluded that the designation "Certified Civil Specialist by the National Board of Trial Advocacy" or the designation "Certified Civil Trial Specialist by the National Board of Trial Advocacy" by an attorney who in fact is so certified, is deceptive.
- 12. Identify (by title, date of publication, author, and source) any and all studies, surveys, polls, investigations, inquires, [sic] probes, data, research, or assessments—whether conducted by the Illinois Supreme Court, the Illinois Registration and Disciplinary Commission, or any other bureau, office, department, organization, or academic institution—which have concluded that the designation "Certified Civil Specialist by the National Board of Trial Advocacy" or the designation "Certified Civil Trial Specialist by the National Board of Trial Advocacy" by an attorney who in fact is so certified, is fraudulent.
- 13. Identify (by title, date of publication, author, and source) any and all studies, surveys, polls, investigations, inquires, [sic] probes, data, research, or assessments—whether conducted by the Illinois Supreme Court, the Illinois Registration and Disciplinary Commission, or any other bureau, office, department, organization, or academic institution—which have concluded that the designation "Certified Civil Specialist by the National Board of Trial Advocacy" or the designation "Certified Civil Trial Specialist by the National Board of Trial Advocacy" by an attorney who in fact is so certified, is false.
- 14. Describe any and all actions of the Illinois Supreme Court or the Illinois Registration and Disciplinary Com-

mission to prohibit, ban, deter, forbid, or obstruct the use by attorneys of publicly advertising their "concentration in", "practice limited to" or "availability to practice in" specified areas of the law. [e.g. "concentration in divorce", "practice limited to personal injury", "available to practice in bankruptcy.]

- 15. Describe any and all actions of the Illinois Supreme Court or the Illinois Registration and Disciplinary Commission to prohibit, ban, deter, forbid, or obstruct the use by attorneys of publicly advertising areas of legal service availability in the "Yellow Pages" of the telephone directories published statewide with the permission of the Illinois Bell Telephone Company by Donnelley Directory, Boulevard Towers South, 205 North Michigan, Chicago, Illinois 60601 in cooperation with Ameritech Publishing of Illinois, Inc., 225 North Michigan, Chicago, Illinois 60601.
- 16. Illinois Supreme Court Rule 2-105(a)(2) authorizes an attorney engaged in the practice of admiralty to use the designation "Admiralty", Proctor in Admiralty", or "Admiralty Lawyer" or a combination of those terms.
- A. What criteria, bases, studies, empirical data, assessments, surveys, support or other authority (e.g. years of experience in the field, continuing legal education, trial experience, or otherwise) of the Illinois Supreme Court or the Illinois Registration and Disciplinary Commission is utilized as the basis for differentiating this admiralty form of specialty advertising or designation from any other form of specialty advertising or designation?
- 17. Illinois Supreme Court Rule 2-105(a)(2) authorizes an attorney engaged in the trademark practice to use the designation "Trademarks", "Trademark Attorney", "Trademark Attorney" or a combination of those terms.
- A. What criteria, bases, studies, empirical data, assessments, surveys, support or other authority (e.g. years

of experience in the field, continuing legal education, trial experience, or otherwise) of the Illinois Supreme Court or the Illinois Registration and Disciplinary Commission is utilized as the basis for differentiating this trademark form of specialty advertising or designation from any other form of specialty advertising or designation?

- 18. Illinois Supreme Court Rule 2-105(a) (1) authorizes an attorney admitted to practice before the United States Patent and Trademark Office to use the designation "Patents", Patent Attorney", Patent Lawyer", or Registered Patent Attorney" or a combination of those terms on his letterhead and office sign.
- A. What criteria, bases, studies, empirical data, assessments, surveys, support or other authority (e.g. years of experience in the field, continuing legal education, trial experience, or otherwise) of the Illinois Supreme Court or the Illinois Registration and Disciplinary Commission is utilized as the basis for differentiating this patent form of specialty advertising or designation from any other form of specialty advertising or designation?
- B. What criteria, bases, studies, empirical data, assessments, surveys, support or other authority is utilized by the Illinois Supreme Court or the Illinois Registration and Disciplinary Commission to allow the United States Patent and Trademark Office to exclusively determine the qualifications of an attorney whose expertise is permitted to be publicly displayed in the State?
- C. On what basis does the Illinois Supreme Court or the Illinois Registration and Disciplinary Commission allow qualified patent, attorneys to publicly hold themselves out as "certified" or as a "specialist" to the exclusion of other qualified attorneys in other areas of practice?
- 19. On what basis does the Illinois Supreme Court or the Illinois Registration and Disciplinary Commission allow trademark and admiralty attorneys, without proof of

qualification, experience, or training to publicly hold themselves out as "certified" or as a "specialist" without permitting other qualified, [or unqualified,] attorneys in other areas of practice that same opportunity?

- 20. Has the Illinois Supreme Court, the Illinois Registration and Disciplinary Commission, or any agency, group, or committee thereof conducted any studies or made any reports on whether less restrictive means exist to regulate commercial advertising of specialty practice by attorneys other than the regulation by Supreme Court Rule 2-105?
- 21. If the answer to interrogatory #20 is in the affirmative, then state the following as to each study or report.
 - A.) The name and address of the body or entity commissioning said study or report.
 - B.) The date said study or report was commissioned.
 - C.) The date said report or study was completed.
 - D.) The conclusions and recommendations, if any, reached in said study or report.
 - E.) The name and address of the person having physical possession of the said study or report.
 - F.) The name of the report or study.
 - G.) The action, if any, taken by the Illinois Supreme Court or the Illinois Attorney Registration and Disciplinary Commission, upon the recommendations made in said study or report.
- 22. As a result of the United States Supreme Court decisions of *Bates vs. State Bar of Arizona* 433 U.S. 350, 97 S. Ct. 2691, 53 L. Ed. 2d 810 (1977) and *In Re R.M.J.*, 455 U.S. 191, 102 S. Ct. 929, 71 L. Ed. 2d. 64 (1982), what action, if any, has been taken by the Illinois Supreme Court or the Illinois Attorney Registra-

tion and Disciplinary Commission to examine, review, modify, alter, revise or amend Illinois Supreme Court Rule 2-105 so as to place said rule in conformity with those United States Supreme Court decisions on lawyer specialty advertising?

- 23. As a result of the United States Supreme Court decision of Supreme Court of Virginia vs. Consumers Union 446 U.S. 719 (1980) what action, if any, has been initiated by the Illinois Supreme Court or the Illinois Registration and Disciplinary Commission to examine, review, modify, alter, revise or amend Illinois Supreme Court Rule 2-105 so as to place said rule in conformity with that United States Supreme Court decision?
- 24. Identify the specific "state interests", "state public policies" or "substantial interests", if any, which the Illinois Supreme Court and the Illinois Registration and Disciplinary Commission claims to exist which necessitate the continued enforcement of Supreme Court Rule 2-105?
- 25. With regard to the "state interests", "state public policies", or "substantial interests" identified in answer to interrogatory #24, state in what manner the Supreme Court Rule 2-105 blanket prohibition on lawyer specialty advertising (except as to patent, trademark, and admiralty) serves as the *least* restrictive method or device to safeguard those stated interests or policies.
- 26. With regard to the answer to interrogatory #25, identify specifically any and all documents, materials, empirical data, studies, records, reports or other writings utilized or relied upon by you in reaching the conclusion that continued enforcement of Supreme Court Rule is the least restrictive method or manner of safeguarding said interests or policies.
- 27. From the date of the creation of the Illinois Registration and Disciplinary Commission to this date, and exclusive of the above referenced cause, state the total number of disciplinary complaints (or charges) initiated

by the Illinois Registration and Disciplinary Commission for specialty advertising in violation of Supreme Court Rule 2-105.

- 28. As to those complaints or charges in answer to interrogatory number 27, how many of the total charges resulted in the imposition of sanctions by the Illinois Supreme Court?
- 29. As to those complaints or charges in answer to interogatory number 27, how many of the total charges resulted in the imposition of sanctions by the Illinois Supreme Court against an attorney who had in fact been certified as a specialist by some board, agency, testing group or Supreme Court of another state or of the federal government?
- 30. Identify, (by name, address, title, and the name and address of their employer), any and all persons consulted in the preparation of the answers to these interrogatories.
- 31. State the name and address of the person(s) signing the answers to these interrogatories, under oath, and as to each, state the following:
- A.) The name and address of his or her employer.
- B.) His or her title or job description.
- C.) The authority by which he or she is answering these interrogatories on behalf of the Illinois Supreme Court or the Illinois Registration and Disciplinary Commission.

GARY E. PEEL

By: /s/

ROBERT W. BOSSLET Attorney for Respondent 1406 Niedringhaus Granite City, Illinois 62040 Telephone: 618-876-8440

BEFORE THE HEARING BOARD OF THE ILLINOIS ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION

Administrator's No. 87-SH-76

IN THE MATTER OF: GARY E. PEEL,

Attorney-Respondent, No. 2166259.

ANSWER

Comes now the Respondent, GARY E. PEEL, by his attorney, ROBERT W. BOSSLET of MORRIS B. CHAP-MAN & ASSOCIATES, LTD., and in answer to the Complaint filed herein states as follows:

- 1. Respondent admits the allegations of paragraph one.
- 2. Respondent can neither admit nor deny whether the Inquiry Board voted a complaint in this matter, and therefore, demands strict proof of the allegations contained in paragraph two.
- 3. Respondent can neither admit nor deny whether the Supreme Court of Illinois has recognized any certification by the National Board of Trial Advocacy, and therefore demands strict proof thereof.
- 4. Respondent denies each and every allegation and suballegation contained in paragraph four.

WHEREFORE, having fully answered, Respondent prays that the Complaint be dismissed and held for naught.

DATED this 10th day of July, 1987.

/s/ Robert W. Bosslet
ROBERT W. BOSSLET
Morris B. Chapman & Associates
Ltd.
1406 Niedringhaus Avenue
P.O. Box 519
Granite City, Illinois 62040
618/876-8440

BEFORE THE HEARING BOARD OF THE ILLINOIS ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSON

Administrator's No. 87 SH 76

IN THE MATTER OF: GARY E. PEEL,

Attorney-Respondent,

No. 2166259.

ANSWER TO INTERROGATORIES

- I, Jerome Larkin, Assistant Administrator of the Attorney Registration and Disciplinary Commission, on oath provide the following answers to the following interrogatories pursuant to the Hearing Board's Order of June 1, 1987:
- 2. Identify the name and address of each person who initiated the investigation of the charges which led to the filing of the Complaint in the above captioned cause.

Carl H. Rolewick, Administrator Attorney Registration and Disciplinary Commission 203 North Wabash Chicago, Illinois 60601 or One North Old Capitol Plaza, #345 Springfield, Illinois 62701

William F. Moran, III, Counsel for the Administrator Attorney Registration and Disciplinary Commission One North Old Capital Plaza, #345 Springfield, Illinois 62701 14. Describe any and all actions of the Illinois Supreme Court or the Illinois Registration and Disciplinary Commission to prohibit, ban, deter, forbid, or obstruct the use by attorneys of publicly advertising their "concentration in", "practice limited to" or "availability to practice in" specified areas of the law. [e.g. "concentration in divorce", "practice limited to personal injury", "available to practice in bankruptcy.]

The Administrator has no knowledge of any action taken by the Supreme Court of Illinois to prohibit, ban, deter, forbid, or obstruct the use by attorneys of publicly advertising their "concentration in", "practice limited to" or "availablity to practice in" specified areas of the law.

The Administrator has taken no action to prohibit, ban, deter, forbid, or obstruct the use by attorneys of publicly advertising their "concentration in", "practice limited to" or "availability to practice in" specified areas of the law.

15. Describe any and all action of the Illinois Supreme Court or the Illinois Registration and Disciplinary Commission to prohibit, ban, deter, forbid, or obstruct the use by attorneys of publicly advertising areas of legal service availability in the "Yellow Pages" of the telephone directories published statewide with the permission of the Illinois Bell Telephone Company by Donnelley Directory, Boulevard Towers South, 205 North Michigan, Chicago, Illinois 60601 in cooperation with Ameritech Publishing of Illinois, Inc., 225 North Michigan, Chicago, Illinois 60601.

The Administrator has no knowledge of any action taken by the Supreme Court of Illinois to prohibit, bar, deter, forbid, or obstruct the use by attorneys of publicly advertising areas of legal services availability in the "Yellow Pages" of the telephone directories published statewide with the permission of the Illinois Bell Telephone Company by Donnelley Directory, Boulevard Towers South, 205 North Michigan, Chicago, Illinois 60601 in cooperation with Ameritech Publishing of Illinois, Inc., 225 North Michigan, Chicago, Illinois 60601.

The Administrator has taken no action to prohibit, bar, deter, forbid, or obstruct the use by attorneys of publicly advertising areas of legal services availability in the "Yellow Pages" of the telephone directories published statewide with the permission of the Illinois Bell Telephone Company by Donnelley Directory, Boulevard Towers South, 205 North Michigan, Chicago, Illinois 60601 in cooperation with Ameritech Publishing of Illinois, Inc., 225 North Michigan, Chicago, Illinois 60601.

16. Illinois Supreme Court Rule 2-105(a)(2) authorizes an attorney engaged in the practice of admiralty to use the designation "Admiralty", "Proctor in Admiralty", or "Admiralty Lawyer" or a combination of those terms.

A. What criteria, bases, studies, empirical data, assessments, surveys, support or other authority (e.g. years of experience in the field, continuing legal education, trial experience, or otherwise) of the Illinois Supreme Court or the Illinois Registration and Disciplinary Commission is utilized as the basis for differentiating this admiralty form of specialty advertising or designation from any other form of specialty advertising or designation?

The Administrator has no knowledge as to what bases the Supreme Court of Illinois used in deciding to promulgate Rule 2-105(a)(2) of the Illinois Code of Professional Responsibility. The Attorney Registration and Disciplinary Commission and the Administrator have no authority to promulgate rules which regulate or proscribe attorneys' conduct, therefore, the only manner in which the

Administrator would attain this knowledge would be through legal research related to a disciplinary case. The Administrator has conducted no such research.

17. Illinois Supreme Court Rule 2-105(a) (2) authorizes an attorney engaged in the trademark practice to use the designation "Trademarks", "Trademark Attorney", "Trademark Attorney" or a combination of those terms.

A. What criteria, bases, studies, empirical data, assessments, surveys, support or other authority (e.g. years of experience in the field, continuing legal education, trial experience, or otherwise) of the Illinois Supreme Court or the Illinois Registration and Disciplinary Commission is utilized as the basis for differentiating this trademark form of specialty advertising or designation from any other form of specialty advertising or designation?

Same answer as to interrogatory 16A above.

18. Illinois Supreme Court Rule 2-105(a) (1) authorizes an attorney admitted to practice before the United States Patent and Trademark Office to use the designation "Patents", "Patent Attorney", "Patent Lawyer", or "Registered Patent Attorney" or a combination of those terms on his letterhead and office sign.

A. What criteria, bases, studies, empirical data, assessments, surveys, support or other authority (e.g. years of experience in the field, continuing legal education, trial experience, or otherwise) of the Illinois Supreme Court or the Illinois Registration and Disciplinary Commission is utilized as the basis for differentiating this patent form of specialty advertising or designation from any other form of specialty advertising or designation?

The Administrator has no knowledge as to what bases the Supreme Court of Illinois used in deciding to promulgate Rule 2-105(a) (1) of the Illinois Code of Professional Responsibility. The Attorney Registration and Disciplinary Commission and the Administrator have no authority to promulgate rules which regulate or proscribe attorneys' conduct, therefore, the only manner in which the Administrator would attain this knowledge would be through legal research related to a disciplinary case. The Administrator has conducted no such research.

B. What criteria, bases, studies, empirical data, assessments, surveys, support or other authority is utilized by the Illinois Supreme Court or the Illinois Registration and Disciplinary Commission to allow the United States Patent and Trademark Office to exclusively determine the qualifications of an attorney whose expertise is permitted to be publicly displayed in this State?

Same answer as to interrogatory 18A above.

C. On what basis does the Illinois Supreme Court or the Illinois Registration and Disciplinary Commission allow qualified patent, attorneys to publicly hold themselves out as "certified" or as a "specialist" to the exclusion of other qualified attorneys in other areas of practice?

Same answer as to interrogatory 18A above.

19. On what basis does the Illinois Supreme Court or the Illinois Registration and Disciplinary Commission allow trademark and admiralty attorneys, without proof of qualification, experience, or training to publicly hold themselves out as "certified" or as a "specialist" without permitting other qualified, [or unqualified,] attorneys in other areas of practice that same opportunity?

Same answer as to interrogatory 16A above.

30. Identify, (by name, address, title, and the name and address of their employer), any and all persons consulted in the preparation of the answers to these interrogatories.

Carl H. Rolewick
Administrator
Attorney Registration and
Disciplinary Commission
203 North Wabash, 19th Floor
Chicago, Illinois 60601
or
One North Old Capitol Plaza
Suite 345
Springfield, Illinois 62701

Jerome Larkin
Assistant Administrator
Attorney Registration and
Disciplinary Commission
203 North Wabash, 19th Floor
Chicago, Illinois 60601

William F. Moran, III
Counsel
Attorney Registration and
Disciplinary Commission
One North Old Capitol Plaza, #345
Springfield, Illinois 62701

31. State the name and address of the person(s) signing the answers to these interrogatories, under oath, and as to each, state the following:

Jerome Larkin

A.) The name and address of his or her employer.

Mr. Larkin is employed by the Attorney Registration and Disciplinary Commission, 203 North Wabash, 19th Floor, Chicago, Illinois or One North Old Capitol Plaza, Suite 345, Springfield, Illinois.

B.) His or her title or job description.

Mr. Larkin is the Assistant Administrator of the Attorney Registration and Disciplinary Commission.

C.) The authority by which he or she is answering these interrogatories on behalf of the Illinois Supreme Court or the Illinois Registration and Disciplinary Commission.

Neither the Attorney Registration and Disciplinary Commission, the Administrator, nor any member of the Administrator's staff has the authority to answer any of these interrogatories on behalf of the Supreme Court of Illinois.

The Assistant Administrator is answering these interrogatories on behalf of the Administrator pursuant to a delegation of authority authorized by Supreme Court Rule 752.

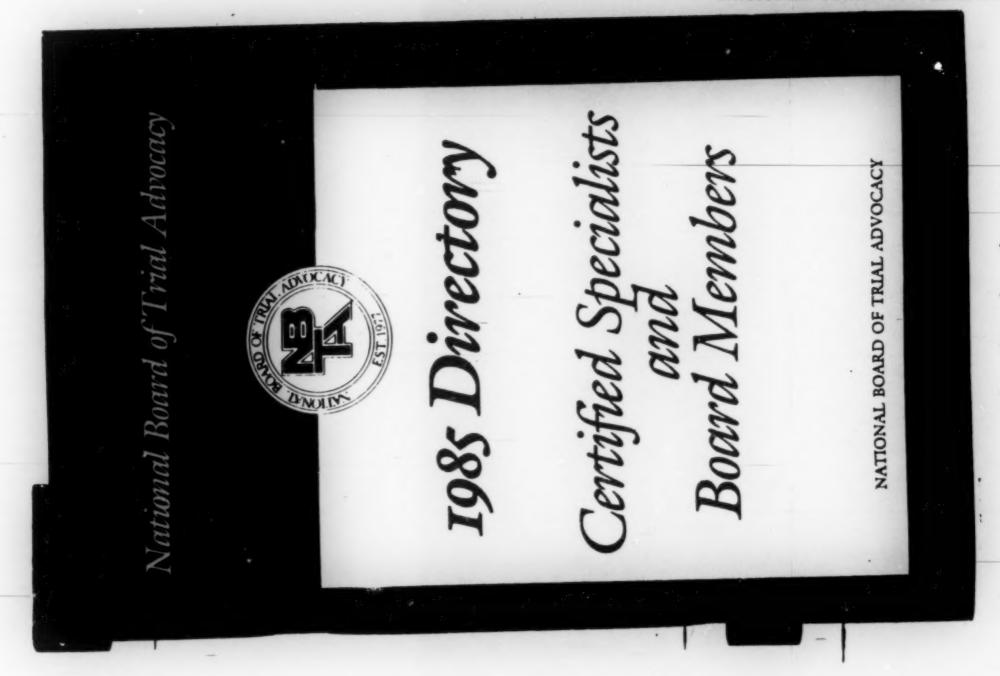
/s/ JEROME LARKIN,
Assistant Administrator
Illinois Attorney Registration
and Disciplinary Commission

Jerome Larkin, Assistant Administrator Attorney Registration and Disciplinary Commission 203 N. Wabash, 19th Floor Chicago, Illinois 60601 Telephone (312) 346-0690 Subscribed and sworn to before me this 25th day

Notary Public

of June, 1987.

EXHIBIT A TO BRIEF AMICUS CURIAE NATIONAL BOARD OF TRIAL ADVOCACY



FLORIDA CONT.

Bill Whitaker The Whitaker Building 45 West Washington Street Orlando, FL 32802 (305) 843-2222

Edward A. White 902 Barnett Bank Building Jacksonville, FL 32202 (904) 356-7673

Louis J. Williams 1525 South Florida Avenue P.O. Box AX Lakeland, FL 33802 (813) 688-8517

Richard H. Willits
Easley, Massa & Willits, P.A.
1655 Palm Beach Lakes
Boulevard
Strite 800
West Palm Beach, FL 33401
(305) 684-7300

W. H. F. Wittshire 201 East Government Street P.O. Drawer 1832 Pensacola, FL 32598 (904) 432-7723

Richard E. Wolverton 2600 Ninth Street North St. Petersburg, FL 33704 (813) 895-1991

Council Wooten, Jr.
Wooten, Honeywell, Kest &
Martinez
236 South Lucerne Circle
Orlando, FL 32801
(305) 843-7060

C. Steven Yerrid P.O. Box 1288 Tampa, FL 33601 (813) 223-1621

GEORGIA

Charles R. Ashman 124 W. Liberty Street P.O. Box 9147 Savannah, GA 31412 (912) 232-0436

James E. Butler, Jr. 1445 Second Avenue Columbus, GA 31901 (404) 322-1990

Danny L. Dupree P.O. Box 5527 Columbus, GA 31906 (404) 322-8876

B. Seth Harp, Jr. P.O. Box 1172 Columbus, GA 31902 (404) 323-2761

Don C. Keenan Keenan Building 148 Nassau Street, N W. Atlanta, GA 30303 (404) 523-2200

Ralph R. Lorberbaum P.O. Box 9147 Savannah, GA 31412 (912) 232-0436

Billy E. Moore Suite 814 Corporate Center P.O. Box 2565 Columbus, GA 31902 (404) 323-3691

W. Fred Orr, II 540 One West Court Square Decatur, GA 30030 (404) 377-1786

David Neal Rainwater P.O. Box 487 122 East 12th Avenue Cordele, GA 31015 (912) 273-5202

GEORGIA CONT.

Robert H. Smalley, Jr. P.O. Drawer A Griffin, GA 30224 (404) 228-2125

Edw. B. Stalnaker Cooper, Maioriello & Stalnaker 561 Greene Street P.O. Box 1407 Augusta, GA 30903 (404) 722-4901

ILLINOIS

Irwin C. Alter 208 South Lasalle Street Chicago, IL 60604 (312) 337-2100

Gary L. Clark 1810 Savings Center Tower Peoria, IL 61602 (309) 674-2164

A. J. Hardiman 29 South Lasalle Street Suite 736 Chicago, IL 60603 (312) 346-9666

Terrence K. Hegarty 69 West Washington Street Chicago, IL 60602 (312) 263-7728

Lawrence W. Leck Lawrence W. Leck & Assoc., Ltd. 77 West Washington Street Suite 519 Chicago, IL 60602 (312) 641-2883

Susan E. Loggans Loggans & Associates 69 West Washington Street Chicago, IL 60602 (312) 726-0276 Michael H. Minton Two North Lasalle Street Suite 1802 Chicago, IL 60602 (312) 882-7500

Donald J. Parker 150 North Wacker Drive, #2400 Chicago, IL 60606 (312) 443-0087

Gary E. Peel 40 Edwardsville Professional Park Edwardsville, IL 62025 (618) 920-5000

Edward H. Rawles Reno, O'Byrne & Kepley, P.C. P.O. Box 693 501 West Church Street Champaign, IL 61820 (217) 352-7661

Curt N. Rodin 188 West Randolph Chicago, IL 60601 (312) 372-3822

James T. Ryan Greenberger, Krauss & Jacobs 180 North Lasalle Street Suite 2700 Chicago, IL 60601 (312) 346-1300

William F. Ryan 221 North Lasalle Street Suite 638 Chicago, IL 60601 (312) 263-6452

Carl F. Schroeder 201 Naperville Road Wheaton, IL 60187 (312) 260-6350

Law Offices of Gary E. Peel 2 Center Grove Road Edwardsville, Illinois 62025 (618) 692-0500

Gary E. Peel Certified Civil Trial Specialist By the National Board of Trial Advocacy Licensed: Illinois. Missouri, Arizona